

A.G. Contract No.: KR91-2964-TRD
ECS File: JPA-91-106
Project: RAM-600-3-512/H204402C
Section: Hohokam Expressway
South of McDowell Road
(Improvements)

60.869

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF PHOENIX

THIS AGREEMENT is entered into 7 January, 199², pursuant to Arizona Revised Statutes Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF PHOENIX, acting by and through its City Council (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-108 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes Section 48-572 and City Charter, Chapter II, Section 2 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the City.

3. Incident to the State's construction of the Hohokam Expressway and in conjunction with the City's improvements to McDowell Road, the purpose of this agreement is to reimburse the City \$38,606.20, as shown on Exhibit "A", attached hereto and made a part hereof, for improvements to the State's roadway south of the McDowell intersection.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

NO. <u>16326</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>01/07/92</u>
<u>Richard Mahoney</u> Secretary of State
By <u>Vincent Greenwood</u>

II. SCOPE OF WORK

1. State will:

Upon receipt and approval of an invoice, reimburse the City for actual costs to construct roadway improvements at the intersection south of McDowell Road and the Hohokam Expressway.

2. City will:

a. Upon execution of this agreement, provide an invoice to the State for actual costs, as shown on Exhibit "A", associated with the State requested roadway improvements constructed at the intersection south of McDowell Road and the Hohokam Expressway.

b. Maintain the roadway north of station 211+94.21 to station 214+30.78 on the Hohokam Expressway as shown on Exhibit "B", attached hereto and made a part hereof.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said payment; provided, however, that this agreement, except any provisions herein for maintenance, which shall be perpetual, may be cancelled, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518(B) and (C).

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Agreement Branch
Mail Drop 616E
205 South 17 Avenue, Room 222E
Phoenix, AZ 85007

City of Phoenix
Street Transportation Department
125 E. Washington
Phoenix, AZ 85004

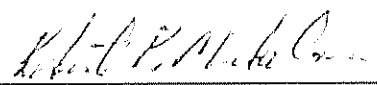
7. Attached hereto and incorporated herin is a copy of the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

CITY OF PHOENIX, a Municipal
Corporation,
FRANK FAIRBANKS, City Manager

By 
JAMES H. MATTESON, P.E.
Street Transportation Director

STATE OF ARIZONA
Department of Transportation

By 
ROBERT P. MICKELSON, P.E.
Deputy State Engineer

ATTEST

By 
CITY CLERK

CITY CLERK DEPT.

1991 NOV 19 PM 3:08

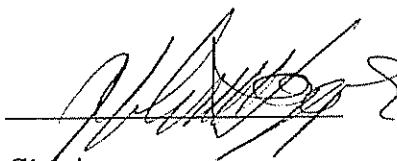


JPA 91-106

APPROVAL OF THE PHOENIX CITY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION and the CITY OF PHOENIX, and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona and the City Charter.

DATED this 17th day of March, 1991.



ACTING City Attorney


1979j

EXHIBIT "A"

SHEET 1 OF 2

PROJECT NO. RAM 600-3-512
 Section I B/C
 East Papago T.I., Phase II

DATE 9/11/91

COP Work done by City of Phoenix Contractor at McDowell and Hohokam T.I.

ITEM NO	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
1	Subgrade Preparation	S.Y.	2,242	2.25	\$ 5,044.50
2					
3	Asphalt Concrete Base Course (5")	Ton	437	25.00	10,925.00
4					
5	Aggregate Base Course (4")	Ton	338	22.00	7,436.00
6					
7	Combined Concrete Curb and Gutter Standard Detail				
8	220, Type A, H=6"	L.F.	448	4.50	2,016.00
9					
10	Concrete Single Curb, Standard Detail 222,				
11	Type A Modified	L.F.	766	4.00	3,064.00
12					
13	Concrete Sidewalk, Standard Detail P.1230	S.F.	718	1.40	1,005.20
14					
15	No. 3 1/2 Junction Box	Ea.	8	115.00	920.00
16					
17	No. 5 Junction Box	Ea	2	125.00	250.00

EXHIBIT "A"

PROJECT NO.

SHEET 2 OF 2

DATE 9/11/91

	ITEM NO	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
1	100	No. 7 Junction box	Ea.	9	225.00	\$ 2,025.00
2						
3	101	1-Inch PVC for Traffic Signal	LF	500	3.00	1,500.00
4						
5	102	2-inch PVC for Traffic Signal	LF	350	3.75	1,312.50
6						
7	103	3-inch PVC for Traffic Signal	LF	752	4.00	3,008.00
8						
9						
10						
11						
12						
13						
14						
15						
16						
17		TOTAL				38,506.20

EXHIBIT "B"

To Accompany Addendum No.

Bulleview/Willettta Connector
See Dwg No C-2.40

Begin 60' Flush Med
Sta 207+25 per Detail A-4
Cst 10' Curb Trans North End

Cst Retaining Wall Type B H-7
per Detail B-18.50' top of
Fig Elev 1184.00
Match Ext Block Wall
as Directed by the Engineer

Cst & Hohokam Expressway

R/W (See Note 2)
See Detail A-4
Dwg No G-61
103 D

Preserve and Protect
Ext Block Wall

TIN
RAE

H.W.A. REGION	STATE	PROJECT NO.	SHEET NO.	TOTAL SHEETS	AS BUILT
9	ARIZ	RAM 600-3-512	97	498	
		143 MA 2			

LEGEND

- Alignment-See Geometric Data
- PS Pipe Sleeve
- SB Single Face Concrete Barrier
- Curb and Gutter
- CR AB VR Concrete Median Barrier
- GR Guardrail

Notes:

1. Geometric Data Referenced to McDowell Road is to the Cst &
2. For Right of Way, Access Control and Fencing, See Dwg Nos C-4.1 to C-4.3

End RAM 600-3-512-143 MA 2
Hohokam Sta 214+30.78=
Cst & McDowell Sta 42+57.87
N 89°05'14.59", E 480'482.966

REQUIRED PAVEMENT CONSTRUCTION

Paved Area	Structural Section No (Dwg No C-3.6)
Hohokam Expressway	8

Begin Taper Sta 209+70
40.00' RI

End Taper Sta 210+80
51.00' RI

End Construction
RAM 600-3-512-143-MA 2
Begin Construction
COP. Project No T-781237
PC Sta 211+94.21
51.00' RI, 40.00' LI
Begin C&G (MAG Detail 220)

Begin Curb
MAG Detail 222-A
(By Others)

Begin Curb
Sta 43+50
51.00' RI

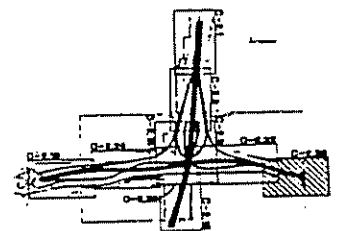
Conc. Slab
(Typ)

PT Sta 44+98.09
47.00' RI

PT Cst & Sta 44+19.8
3.09' LI M McDowell Rd
Sta 44+21.36

N 88°33'20.06" E

PC Cst & Sta 45+19.8
6.45' LI M McDowell Rd
Sta 45+21.42



NAME	DATE	ARIZONA DEPARTMENT OF TRANSPORTATION
DESIGN	DGM 3/82	HIGHWAY DIVISION
DRAWN	JG 3/82	
CHECKED	STB 7/82	
PAVING PLAN		
Hohokam-McDowell		
Temporary Connection		
NO. 143	2	LOCATION HOHOKAM (EAST PAGO, PH II)
Dwg. No C-		

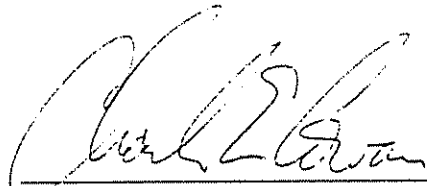
TRACS NO H 2044 02 C

97 OF

RESOLUTION

BE IT RESOLVED on this 21st day of August 1991, that I, CHARLES E. COWAN, as Director of the Arizona Department of Transportation, have determined that it is in the best interest of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with the City of Phoenix for the purpose of defining responsibilities for the State's requested construction features in conjunction to the City's McDowell Road improvements project at the Hohokam Expressway intersection.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted for approval and execution by the Deputy State Engineer.

 23 Aug 91

CHARLES E. COWAN, Director
Arizona Department of
Transportation

GREEN — CITY CLERK
 WHITE — CITY ATTORNEY
 BLUE — CITY MANAGER
 PINK — ACCOUNTS NOTIFICATION
 CANARY — DEPARTMENT NOTIFICATION
 BUFF — DEPARTMENT FILE COPY

CITY OF PHOENIX, ARIZONA
REQUEST FOR COUNCIL ACTION
 ALL RCA'S MUST BE IN THE CITY MANAGER'S OFFICE BY NOON ON THE TUESDAY, SEVEN DAYS BEFORE THE
 FORMAL CITY COUNCIL MEETING WITH ALL REQUIRED SIGNATURES COMPLETE THIS FORM PER M P 1.906

1 To the City Manager:

DATE October 23, 19 91

THE FOLLOWING COUNCIL ACTION IS HEREBY REQUESTED: ☐ ORDINANCE ☒ RESOLUTION ☐ FORMAL ACTION
 AGREEMENT WITH THE STATE OF ARIZONA

HOHOKAM EXPRESSWAY: IMPROVEMENTS SOUTH OF MCDOWELL ROAD

Current Council District #6 - Future Council District #6

This request authorizes the City Manager to sign an agreement with the State of Arizona through its Department of Transportation (ADOT) for improvements to the State's roadway south of the McDowell Road and Hohokam Expressway intersection.

In conjunction with the City's improvements to McDowell Road, the City made improvements to the Hohokam Expressway south of McDowell Road.

The purpose of this agreement is for ADOT to reimburse the City \$38,606 for the improvements that the City made to the Hohokam Expressway south of the McDowell Road intersection.

There is no cost to the City for this agreement.

1991 OCT 29 AM 10:05
 CITY CLERK DEPT.
 1991 OCT 29 AM 10:05

2 Bid Bond (Surety) Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		3 Bond submitted by low bidder? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		4 Performance Bond (Surety) Required? <u>NONE</u>							
5 SOURCE OF FUNDS: <div style="display: flex; justify-content: space-between;"> <div> <p>\$ <u>NONE</u></p> <p><input type="checkbox"/> BUDGETED <input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> CONTINGENCY</p> </div> <div> <table border="1"> <thead> <tr> <th>INDEX CODE</th> <th>SUBJECT</th> <th>PROJECT</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> </div> </div>				INDEX CODE	SUBJECT	PROJECT				12 Recommended by: Department/Function: <u>Street Transportation/Capital Prog.</u> Division: <u>Research</u> Signature: <u>[Signature]</u> Department Head Signature: <u>[Signature]</u> <u>Street Transportation Director</u>	
INDEX CODE	SUBJECT	PROJECT									
6 Emergency Clause? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF LESS THAN FIVE COUNCIL MEMBERS ARE PRESENT: <input type="checkbox"/> CONTINUE ONE WEEK <input type="checkbox"/> ADOPT WITHOUT EMERGENCY CLAUSE		7 Requested by: <u>R. Bortfeld</u> Phone # <u>58817</u> 8 WP Document #: <u>07077</u> 9 Desired Agenda Date: <u>11/06/91</u>		13 Approved as to availability of funds: <u>[Signature]</u> MANAGEMENT & BUDGET DIRECTOR							
10 Formal contract required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Previous contract # <u> </u>		11 Requisition #: <u> </u>		14 Approved: <u>[Signature]</u> Deputy CITY MANAGER							
15 Council action taken: Formal action: RESOLUTION NO <u>179.33</u> ORDINANCE NO <u> </u> DATE <u>11/6</u> 19 <u>91</u> CONTRACT NO <u>60869</u> <u>(5896)</u> <u>F-456112766</u> CITY CLERK'S FILE NO											

Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

XXXXXXXXXXXX
GRANT WOODS

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. KR91-2964TRD, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 13th day of December, 1991.

GRANT WOODS
Attorney General


JAMES R. REDPATH
Assistant Attorney General
Transportation Section